

HOUSE BILL 4235

By Gresham

AN ACT to amend Chapter 169 of the Private Acts of 1998, as amended by Chapter 68 of the Private Acts of 2004, and any other act amendatory thereto, being the Charter of the Town of Somerville.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Section 2 of Chapter 169 of the Private Acts of 1998, is hereby amended by deleting the section in its entirety and by substituting instead the following:

SECTION 2. The corporate boundaries or limits of the Town of Somerville shall be and embrace all the territory now within the corporate limits of the Town of Somerville as of the effective date of this act, as heretofore established and defined by acts of the General Assembly of Tennessee, by ordinances of the Town of Somerville and by law or ordinances or as may hereafter be modified by acts of the General Assembly or ordinances of the Town of Somerville.

SECTION 2. Section 4 of Chapter 169 of the Private Acts of 1998, is hereby amended by deleting subsection (B) in its entirety and by substituting instead the following:

(B) To select and discipline personnel or authorize the head of any department to take such actions regarding subordinates in such department, in accordance with any personnel rules and regulations adopted by ordinance or resolution of the board; provided however, department heads shall be appointed or terminated only by the board.

SECTION 3. Section 6 of Chapter 169 of the Private Acts of 1998, is hereby amended by deleting the section in its entirety and by substituting instead the following:

SECTION 6. The Board of Mayor and Aldermen shall have full power and authority to appoint all department heads, officers and agents of the corporation, such as

they may deem necessary, and may provide by ordinances; provided, that two-thirds (2/3) of the Board of the Mayor and Aldermen concur in the appointment . Each such department head, officer or agent shall serve at the pleasure of the Board of Mayor and Aldermen and may be dismissed or removed by them; provided, that two-thirds (2/3) of the Board of the Mayor and Aldermen concur in the removal or dismissal.

SECTION 4. Section 7 of Chapter 169 of the Private Acts of 1998, is hereby amended by adding the following new language, to be designated as subsection "(34)":

(34) To establish, abolish, merge, or consolidate offices, positions of employment, and departments; to provide that the same person may fill any number of offices or positions of employment; and to transfer or change the functions and duties of officers, positions of employment and departments.

SECTION 5. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the Town of Somerville. Its approval or non-approval shall be proclaimed by the presiding officer of the legislative body of the Town of Somerville and certified by him to the Secretary of State.

SECTION 6. For the purposes of approving or rejecting the provisions of this act, it shall be effective upon becoming law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 5.